

Atty. Docket No. JP919990098PCT
(590.051)

REMARKS

The fact that September 18, 2005, fell on a Sunday ensures that this paper is timely filed as of September 19, 2005, the next business day.

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated July 18, 2005, pending Claims 15-37 were rejected and the rejection made final. Of these claims, Claims 22, 24-27, 29 and 37 have been indicated by the Office as being withdrawn as a result of the restriction requirement. Applicants continue to traverse the restriction requirement. Of the other claims, Claims 15, 23, 28, and 30 are independent claims and the remaining claims are dependent claims.

Claims 15-18, 23, 28, and 30-33 stand rejected under 35 USC § 102(e) as being anticipated by Nakamura et al. (hereinafter "Nakamura") The Office is respectfully requested to reconsider the rejection presented in the outstanding Office Action in light of the following remarks.

As best understood, Nakamura appears to be directed to an apparatus, method, and medium for embedding watermarks in MPEG-2 video. The invention receives the motion picture, decodes and splits the picture into unit picture numbers that contain frames in the Group of Pictures. Each unit picture, comprised of frame pictures, is embedded with the embedding information (the watermark). (Column 7, lines 25-58) According to the specification of Nakamura, this watermark information is interchangeable with the sub-information. (Column 14, line 61 to Column 15, line 3)

Atty. Docket No. JP919990098PCT
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There is no teaching or suggestion in Nakamura to have a system to embed watermarks in the MPEG-2 video data. Thus, Nakamura clearly does not disclose the invention as set forth in claims 15-18. Additionally, there is no suggestion or teaching Nakamura to disclose **"embedding part or all of the additional data"**. (Claim 15, emphasis added) As shown above, the sub-information that the Office equates with the part of additional data is interchangeable with the watermark information that is embedded in the video data. Thus, although Nakamura uses the word **"sub-information"**, this information is in fact not part of the additional data. There is no suggestion or teaching of embedding only a part or section of the watermark data or sub-information that is to be embedded into the data. Further, there is no suggestion or teaching Nakamura to disclose **"extracting data for a small domain from the detected video frame and for buffering the data"**. (Claim 15, emphasis added) As already stated previously, Nakamura embeds unit pictures that consist of more than one frame with the watermark information and further does not disclose or suggest processing the unit pictures into smaller blocks that are buffered.

It is respectfully submitted that Nakamura clearly falls short of present invention (as defined by the independent claims) in that, *inter alia*, it does not disclose embedding part or all of the additional data into the video data and it also does not disclose extracting data for a small domain from the detected video frame and buffering the video data into which information is being embedded. Accordingly, Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the

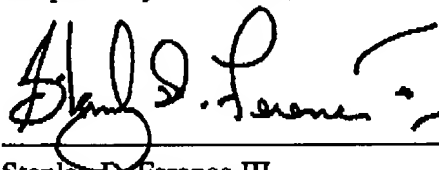
Atty. Docket No. JP919990098PCT
(590.051)

claim under construction." *W.L. Gore & Associates, Inc. v. Garlock*, 721 F.2d 1540, 1554 (Fed. Cir. 1983); *see also In re Marshall*, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

In view of the foregoing, it is respectfully submitted that independent Claims 15, 23, 28, and 30 fully distinguish over the applied art and are thus allowable. By virtue of dependence from Claims 15 and 30, it is also submitted that Claims 16-21 and 31-36 are also allowable at this juncture. Applicants acknowledge that Claims 19-21 and 34-36 were indicated by the Examiner as being allowable if rewritten in independent form. Applicants reserve the right to file new claims of such scope at a later date that would still, at that point, presumably be allowable.

In summary, it is respectfully submitted that the instant application, including Claims 15-21, 23, 28, and 30-36, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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